



NEWS RELEASE

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FOR IMMEDIATE RELEASE
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FORMER FAIRFIELD COUNTY JUDGE RECEIVES 17-YEAR, 3-MONTH SENTENCE

Convicted of arson, fraud, conspiracy and money laundering

COLUMBUS – Donald S. McAuliffe, age 59, of Millersport, Ohio, was sentenced in United States District Court here today to 207 months imprisonment, fined \$150,000, and ordered to pay \$235,000 in restitution to his insurance company. While McAuliffe was a Fairfield County Municipal Court judge, he committed arson, mail fraud, conspiracy and money laundering when he conspired with others to burn his house in order to collect insurance proceeds.

Gregory G. Lockhart, United States Attorney for the Southern District of Ohio; Christopher P. Sadowski, Special Agent in Charge, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), and Ohio Attorney General Jim Petro announced the sentence handed down today by U.S. District Court Judge Algenon L. Marbley.

“No one is above the law,” Lockhart said. “This sentence shows that people who commit such crimes will be punished harshly, regardless of the position they hold in the community.”

“Arson is a difficult crime to investigate and prosecute successfully,” Sadowski said. “This sentence shows, however, that investigators will do whatever it takes to bring to justice people who perpetrate crimes like this.”

McAuliffe’s sentence includes 60 months each on two mail fraud counts to run concurrently. On the conspiracy and two money laundering counts, McAuliffe received 87 months to run concurrently with each other and concurrent with the mail fraud counts. Judge Marbley sentenced McAuliffe to 120 months imprisonment for using arson to commit mail fraud to run consecutive to all other counts for a total of 207 months imprisonment.

Judge Marbley also ordered McAuliffe to liquidate any accounts he has in escrow, including all savings and checking accounts and his state retirement fund, totaling \$253,046.

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That amount will be applied to restitution to the insurance company. Judge Marbley also ordered McAuliffe to sell his real estate interests to pay the balance of the restitution and fine. All fines and forfeiture were stayed pending McAuliffe's appeal.

A United States District Court jury convicted McAuliffe on February 13, 2004 after a trial that began January 26. The jury convicted McAuliffe of two counts of mail fraud, one count of using fire to commit a felony, one count of conspiracy, two counts of money laundering, and one forfeiture count seeking \$235,000, as well as two parcels of real property and a vehicle that represent the proceeds of the crimes.

McAuliffe, who has been in custody since his arrest on April 24, 2003 when a federal grand jury indicted him, was remanded to the custody of the U.S. Marshal to begin serving his sentence immediately.

During the trial, witnesses testified that McAuliffe conspired with another person to burn his residence at 3765 North Bank Road in Millersport in March 2002 in order to collect insurance proceeds.

McAuliffe mailed a claim for \$235,000 to his insurance company on April 22, 2002 and received a check from the insurance company. Mailing the false documents constitutes mail fraud, under federal law. McAuliffe used the money to pay off the mortgage on the property, buy another piece of property and the vehicle.

McAuliffe was indicted on April 24, 2003 following a five-month investigation by ATF, the Ohio Bureau of Criminal Identification and Investigation that is part of the Ohio Attorney General's Office, and the Ohio Department of Insurance.

Lockhart commended the joint investigative efforts of agents with ATF and BCI&I and Assistant U.S. Attorneys David DeVillers and Kevin Kelley, who prosecuted the case.

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